



WESTERN AUSTRALIA.

ANNO OCTODECIMO

VICTORIÆ REGINÆ.

No. VIII.

An Ordinance to amend the Law relative to the Registration of Deeds, Wills, Judgments, and Conveyances affecting real property.

WHEREAS it is expedient to amend the laws relative to the Preamble. registration of instruments affecting Real Property;—Be it therefore enacted, by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof—

I.

I. THAT from and after the passing of this Ordinance, it shall not be necessary that the certificate mentioned in the 8th section of the Registration Ordinance 2nd Wm. 4th, No. 6, be signed by the mortgagor or defendant as well as by the mortgagee or plaintiff; but that such certificate shall be sufficiently signed, if signed by the mortgagee only, or by the plaintiff only as the case may require, or by the agent or legal representative of any mortgagee or plaintiff dead or absent from this colony.

II. THAT any person claiming, by affidavit, any estate or interest under or in any lands, tenements, or hereditaments, affected by any judgment, will, deed, or other instrument relating to Real Property, may sign and register the memorial of such judgment, will, deed, or other instrument, annexing such affidavit thereto.

III. THAT registration of any instrument under the provisions of any Ordinance relative to the registration of instruments affecting Real Property, whether such registration shall have been made before or after the passing of this Ordinance, and notwithstanding such registration may not have been strictly in accordance with such provisions, shall be deemed to be due notice of all facts, circumstances, and particulars referred to in the memorial of such registration of any instrument as aforesaid, with reference to all contracts entered into after the passing of this Ordinance.

IV. THAT in case the Registrar of Deeds and Transfer shall, by illness or accident, be temporarily disabled from the personal discharge of his duties or shall be absent on leave it shall be lawful for the Governor by any writing under his hand to appoint some other person to act for such Registrar during such disability or absence on leave; and all the lawful acts of such substitute in and about the discharge of such duties shall be as valid and effectual, as if done by such Registrar in person.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN CHIEF.

*Passed the Legislative Council }
this 17th day of April, 1855. }*

A. O'GRADY LEFROY,
Clerk of the Council.